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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/277,198 03/26/99 ASAO

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EXAMINER

TAMAI, K

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 03/07/01

MMC2/0307
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WASHINGTON DC 20037

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/277,198

Applicant(s)

ASAO, YOSHIHITO

Examiner

Tamai IE Karl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 5-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☐ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese reference 9-103052 (Japan ('052)) in view of Glennon.

Japan ('052) discloses the stator for an alternator essentially as claimed except for the inner circumferential surfaces of the bridge portions are placed in contact with the axial end surfaces of the stator core.

Glennon teaches that it is well known to form a stator for a dynamoelectric machine with the bridge portions forced into contact with the axial end surfaces of the stator core in order shorten the axial length of the assembly. Although the teachings of Glennon are not specifically applied to a pre-formed coil assembly, Glennon does teach shortening the stator assembly by bringing the end-turns of the coil into contact with the stator core. Such teachings would lead one of ordinary skill in the art to form a pre-formed coil such that the gaps provided between the axially arranged elements was minimized.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have formed the stator of Japan ('052) such that the end turns of the pre-

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formed coils contact the axial end surface of the stator core in order to axially shorten the stator assembly, as taught by Glennon.

Response to Arguments

2. Applicant's arguments filed 12/12/2000 have been fully considered but they are not persuasive. The Applicant's argument that Adachi does not teach does not teach the bridge portions of rewound coils in contact with the axial ends of the stator is not persuasive. The Applicant is considering the reference individually, rather with the combined teachings of Glennon, (See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986) holding that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references). Glennon suggests the bridge portions of the coils in contact with the end of the stator to minimize axial length. The Applicant's argument that Glennon does not teach rewound coils is not persuasive because Glennon is not relied upon to teach the rewound coils, only the minimized axial length due to the shortened end turns.

The Applicant's argument regarding the incorporation of the coils of Adachi with in contact with the end of the stator as in Glennon is not persuasive. The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the

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test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

The suggestion of Glennon is clearly to reduce the axial length of the stator by minimizing the end turns, which in combined with Adachi suggests rewound coils in contact with the end of the stator to reduce the axial length of the alternator.

The Applicant's argument regarding the teeth of claim 2 are not persuasive. The limitations are shown in Adachi, figure 6. The recess in the teeth extends from the inner tip to the circumferentially extending portion of the lamination. The groove is formed in the outer radial base of the teeth. Adachi reads on the over broadly written limitations of Claim 2. The rejections are proper and maintained.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl I.E. Tamai whose telephone number is (703) 305-7066.

The examiner can be normally contacted on Monday through Friday from 8:00 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Nestor Ramirez, can be reached at (703)308-1371. The facsimile number for the Group is (703)305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Karl I Tamai
PRIMARY PATENT EXAMINER
March 6, 2001